M'GRAW FACES MORE ORDEALS AFTER BEATING

Lambs Club Expected to Take Drastic Action at Meeting To-morrow.

SWANN TO GRILL HIM

District Attorney Wants to Know Who Broke Actor's Skull-Slavin in Coma.

A special meeting of the council of the Lambs Club has been called for to-morrow afternoon for the purpose of taking action against John J. Mc Graw, manager and part owner of the Giants, for his conduct in the club grill room last Sunday morning, when he is said to have been soundly thrashed by another member.

The council will not concern itself with the mysterious injuries received by John C. Slavin, comedian, who belped take McGraw home from the place and who is still lying in St Luke's Hospital in such precarious condition that Dr. H. M. Lyle will not allow even the police to question

this accident, which occurred in front of McGraw's home, is out of their jurisdic it was learned definitely yesterday that McGraw already had been suspended by the house committee pending the counthe theatrical district, and when A. O. ceny the report. Mr. Brown is under-stood to be the officer who chused the suspension, as it is within his power to misconduct on the club premises.

McGraw to See Swann.

District Attorney Edward Swann an he would question McGraw at teived by Slavin, which McGraw pro-fesses to be quite unable to explain. He who represents McGraw and who agreed made to get all other persons possessing information about the affair to appear at the District Attorney's office at the

Yesterday found McGraw still keeping When reporters called there to see him City Magistrate Francis X. Mc-Quade, who is associated with McGraw n the ownership of the Giants, opened the door. He said that McGraw would not see any reporters or make any pub-

The Giants' manager has not appeared pon the field at the Polo Grounds since the fracas. Aithough he visited the park Sunday afternoon he kept to the club-On Monday he did not even Doyle, captain of the team, day the rain forced a postponement of a double header that the language toward him. Giants were scheduled to play with The entire crowd the Pittsburg Pirates. Persons who have seen McGraw say that he has not been in presentable condition since Sunday morning. They say that in addition to his blackened eyo and battered nose his mouth is badly swollen and there is

Expect Drastic Action on McGraw.

In view of the fact that McGraw was suspended a few months ago because of an altercation with Walter Knight and that only recently he had been reinstated many members of the Lambs Club expect the council to take drastic action to-

When A. C. Brown heard yesterday that James Shevlin, supervising prohibi-tion enforcement agent, was talking about an investigation into possible vio-lation of the Volstead law by persons who figured in the Sunday morning per-formance he extended an invitation to Mr. Shevlin to call at the Lambs Club to see for himself just how dry the place is. Mr. Shevlin said that he would do so In talking with Mr. Shevlin over the

telephone Mr. Brown said:
"If any liquor comes into the Lambs Club it must do so in some member's

Speaking of the matter to reporters John Clinton McGee, otherwise known as "Suspender Jack," of 29 West Sixtyprevent a man from bringing something fourth street, and former bronco bus in on his hip, but should he be seen the allege religious sider religious and the street street and former bronco bus drinking it inside the club he would be called to account.

is understood to have said that he was 'hoofed" in the roughhouse at the Lambs have clean hands before he makes charges against any one else. Before a "Suspender Jack" until recently m

from statements made to the police yes-terday by William H. Boyd, the actor who trounced the Giants' manager. Foyd, who was leading man for Ethel Barrymore in "Our Mrs. McChespey" and to Miss Maude Adams in the ness as a notary on the streets. McGee road company of "A Kiss for Cinder-said he has been making \$50 or \$60 a ella," admitted to the police that he had week soliciting business on the street. punched McGraw, and gave a detailed McGee won the nickname of "Sus-

account of the scrimmage How John Was Trimmed.

He told them that McGraw entered the grill room of the Lambs Club on Sunday morning in what looked to him like a state of intoxication and proceeded to use some very strong language. Boyd tion of 1912 into the nomination of Oscar said that he objected to McGraw's language because there were some women

McGraw then turned wrathfully upo Boyd. It appears that he mistook him for another member for whom he enter tained a grievance. Boyd claims Mc-Graw came upon him from the rear and aimed a blow at his back. He then turned upon McGraw.

Boyd is much taller than the manager of the Giants and has a far longer reach, In addition, he is an athlete and an expert boxer. He states that he was obliged to treat McGraw as he did be- field about a year ago from Chicago. cause the Giants' manager persisted in his efforts to attack him. It appears that he unquestionably had the better of the argument, which was ended when Giavin and Winfield Liggett pulled McGraw away, bathed his injuries and hur. ed him away in a taxicab.

The official statements on Slavin's pearance.

John McGraw's Record as Maiden Class Fighter

A FEW notable fights in John McGraw's career: Houston-"Pat" Newman . . . Newman Havana-C, A. Stoneham . . Stoneham

Lambs Club-W. H. Boyd. Boyd *McGraw fined \$500 and suspended from National League for sixteen days.

injuries are still devoid of reference to the two front teeth that his wife and son say are missing. It was admitted yes-terday at St. Luke's Hospital, however but the comedian has a cut on his congue as if he had received some kind of a blow on the jaw which had forced his teeth suddenly shut.

He had a number of semi-conscious ments yesterday, but from the few remarks that he dropped at such times it was apparent that he was quite unable to collect his reasoning faculties. He could say little except "Yes" and "No." He made these answers apparently without any comprehension of the questions asked him. His wife and son isited him again, but he was unable to

Although the hope was expressed at e hospital that Slavin would be able to make some kind of a statement to-day, the hope was a slim one. It was stated that he is not yet entirely out of danger. Mavin is generally known by his stage name. His true name is Jacob Miller

YOUNG STONEHAM IN ROW WITH COPS

The club members take the stand that Gives Address of One of the Giants' Owners When Brought to Station.

Horace Stoneham, 18 years old, who cil's action. This information did not gave his address as 2350 Broadway come from any member of the house which is a branch office of the broker Brown, chairman of the committee, was of the owners of the New York Giants. asked about it he refused to affirm or was arrested last night with Edward E Mason of 2% West End avenue, after they had given take such action against any member for Shaughnessy of the West Thirtieth street station a "bit of a razzing" Broadway and Thirty-ninth street

The boys gave the names of Stoneha his office to-morrow. His interest at the police station but later, when they centres, however, about the injuries recommunicated yesterday with Emil clipped to Stone. The police were help Fuchs, attorney, of 51 Chambers street, along in their identification however. along in their identification, however, by trict Attorney's office. An effort will be they got into trouble, who loudly declared at the door of the court room the Stoneham would "get out of it all right same time. Mr. Fuchs assured the Dis- because his daddy and Judge McQuade triet Attorney that McGraw will make a are good friends." The Magistrate, who is a partner in the ownership of the in the seclusion of his apartment, on the Giants, was asked later if young Stone northwest corner of Broadway and 199th ham was the son of Charles A. Stone ham, but said that he did not know. am, but said that he did not know. to be connected with this case, but no "All I know," he said, "is that the arrests have been made.

young man was arraigned under the name of Stone." Broadway and Thirty-ninth street about it was announced yesterday. He was 7 o'clock. They were decidedly hilaricus, he said, and one of the boys was making a great fuss about getting into a hoard the oli burner Suholco, of nouse. On slonday he did not to the clubhouse, leaving the team naking a great fuss about getting into a control of the team.

I arry Doyle, captain of the team. The policement told the group the Transmarine Company, when she to move on, and then, he said, they be-sailed yesterday from Newark, were 27,000 cases of beer, not of negligible. gan to "razz" him and to use abusive

The entire crowd finally got into a taxicab, but Shaughnessy said that when the machine started young Stoneban caned out and told him to go to hell Instead of obeying the request Shaugh-ressy caught another taxicub and over hauled the other car at Forty-second conspicuous welt on one side of his street. He started to pull Stoneham out of the machine but Mason objected, s

he cop took him along, too.

When the two boys were arraigned be fore Magistrate McQuade, the policeman retold the story of what had occurred but said that he thought it must have been just a "boyish" prank and that he didn't believe Stoneham and Mason in-tended to insult him. He was inclined to be lenient with them, and they were discharged by the Magistrate. After the case had been dismissed young Stone-ham was asked by a newspaper man if he was the son of Charles A. Stone-ham, but he said:

"There must be a mistake somewhere

SUSPENDER JACK' SUSPECTS A PLOT

Protests to Hirshfield on Ordinance Against Notary.

John Clinton McGee, otherwise knows ter, circus rider, policeman, war vet eran and notary public, complained yes-In his statement to the police McGraw terday to David Hirshfield, Commissioner of Accounts, that an ordinance When this was brought to the recently passed by the Board of Alderattention of a member of the house com- men has put him out of business as a mittee of the club last night that official notary public and asked the Commis-

charges against any one else. Before a "Suspender Jack" until recently mainman says that he was fouled in a fight it is good policy for him to be sure that he did not foul his opponent."

"Suspender Jack" until recently maintained an office opposite that of the Secretary of State, but a boost in his rent compelled him to vacate. Since he did not foul his opponent."

This official's meaning is apparent then he has patrolled the street in the vicinity, where he had posted two signboards reading: "Notary Public. Have Your Papers Signed. Save Time." The ordinance of which he complains makes it unlawful for a person to solicit busipender Jack" many years ago by "bust-ing" broncos by the use of a pair of

suspenders instead of a halter. He was a New York policeman for twelve years, part of which time he was assigned to Chinatown. Later he entered politics and stampeded the Bull Moose conven S. Straus for Governor.

cleaners present, and he told him to HUSBAND GONE; TELLS POLICE. Mrs. Spaulding of Bloomfield, N. J.

Asks Atd in Search. Mrs. Fenton J. Spaulding of 41 Edge wood road, Bloomfield, N. J., has asked the Bloomfield police department to search for her husband, who disappeared from home about three weeks ago. The Spauldings moved to Bloom-Graw away, bathed his injuries and hur- or relatives since. Mrs. Spaulding said

DRY AGENT SEIZED IN BROTHER'S CAFE

Secret Service Man Accuses H. E. Lane of Neglecting His Duties.

Onija Board Fails to Warn Carrier of Five Gallons of Booze in Grip.

George E. Goldring, a secret service agent whose special duty is to keep an eye on prohibition agents, and fifteen companions strolled into a saloon in Nostrand avenue, Brooklyn, late Monday night and ordered drinks. They allege that a bottle thereupon produced contained strong whiskey. Goldring Goldring lifted it high over his head so that a man who was lounging in the rear of

the place could see it plainty.

Thereupon ensued a dash for the exits, though there was no actual fighting, while Goldring walked over to the lounging man and placed him under ar-rest. This man was Herbert E. Lane, a prohibition enforcement officer with a excellent record and brother of Will lam A. Lane, said to be the owner of the saldon. The latter was serving LOFT THIEVES GET frinks when the secret service men en-

ered, it is charged.

The dry agent was charged with fallure to perform his duty and the brother accused of illegal selling. If convicted the dry agent would face a minimum penalty of \$1,000 fine and six months in jail. James Shevlin, State dry chief was astonished to hear of the arrest and said he did not know that Lane's

cord enforcing the law gallons of booze.

state police in White Plains arrested yesterday A. R. Diffallo, a truck driver, who was said to be transporting four barrels of grain alcohol to Peekskill without having a proper permit. The alcohol was shipped by Rose Culundia lath of a hallway. The company store is alcohol was shipped by Rose Culundia lath of a hallway. The company store is larred, with iron shutters and has an incompany to the officers. alcohol was slipped by Rose t hunds in Manhattan, according to the officers.

Dry sleuths also made a big haul on a Lackawanna pier in the Hudson fliver when they became suspicious of thirty-two bales of rags. Investigation discussed that each bale had five gallons was arrested yesterday on a charge of treating flow the same time for fur manufacturers. of whiskey concealed within. The bales stealing \$3,000 worth of furs from the which were said to have been shipped home of Mrs. Ethel Economides, 222 which were said to have been shipped by A. J. Weinstein of Manhattan to a firm in Cleveland, were confacated. The employed in the house on fur goods 'ederal agents reported they could not during the strike, according to the pe find Weinstein. Two women were alleged lice. She was held in \$2,000 bail.

H. M. Gaylord, Assistant Federai Pro-Libition Commissioner in Washington. Patrolman Shaughnessy told Lieut, has resigned to become vice-president of West at the police station that he saw the Kentucky Dstilleries and Warehous has resigned to become vice-president of two women and a number of young Company, a subsidiary of the United Court Refuses Injunction in men, including Stoneham and Mason, at States Food Products Corporation here.

percentage, and divers cases of bottle openers, all destined for Havana.

NICKY MUST TELL ABOUT ASSOCIATES

Protests That Answers May

Incriminate Him. when he was being sought in the bond theft case and he must explain his rela-tions with the Gluck brothers and Nick Cohen, Judge A. N. Hand of the United States District Court so decreed yester-day in ruling on questions which Arn.

. Myers, counsel for surety com- next Monday." panies, who instituted the bankruptey panies, who instituted the bankruptcy Mr. Miller said he had received a action, expressed himself as highly telegram from John Hays Hammond, pleased with this verdict, which was a one of the governors of the club, stating reversal of a previous one. William J. that he was in favor of the amaisama-fallon, Arnstein's counsel, announced tion and that he had wired Mr. Woodthat he would appeal this decision on house not to use his name as opposing the contention that Nicky would be in- it. Mr. Woodhouse had issued a stateriminated in the proceedings pending ment against him if he had to answer the among his supporters in the fight.

action is scheduled for the morning of August 24 before United States Commissioner Gilchrist

GIRL HANDS HUNGRY COP RACING CHART

He Orders \$5 Worth of Horse, Arrests Waitress.

When he asked a waitress in estaurant at 107 Lenox avenue gwhat she had that was good," instead of slapping a menu in front of him, David Hefferman, a detective of Inspector Cahalane's staff, said the young woman laid down a racing chart. There were come delectable names on the sheet like "Fruit Cake," "Irish Rose," and "Cleopatra," but as they were horses they meant nothing in the life of the detective, who was hungry. He arrested the witress. In Washington Heights Court yesterday Hefferman charged Florence Hoffman, 37 years old, was the waitress, and insisted Magistrate Marsh that she was also a bookmaker. Hefferman admitted ne had laid \$5 on "Cleopatra," and lost. Magistrate Marsh held the young woman for Special Sessions in \$50

BLAMES 'P. D.' MOTOR TAGS FOR ACCIDENTS

Unofficial Users Reckless, Wallstein Says .

Leonard M. Wallstein, counsel to the Leonard M. Wallstein, counsel to the Citizens Union, said yesterday a good many traffic accidents in the city are due to the issuance to unofficial citizens of automobile license plates bearing the lettering "P. D.," the Police Department insignia, and to the practice of handing out so-called "police line" passes and badges to those who bask in police favor. There is no warrant for extending such privileges or favor, said Mr. Wallstein, sugar company piers when it struck privileges or favor, said Mr. Wallstein, and the effect of the practice is to give a rock, the towing hawser broke and free rein to irresponsible persons who the float stuck its nose under the water, get the passes and license plates. Thus Four of the cars alld off into deep equipped, he said, they speed through water. The nine others started to diva not wish to see congested streets, signalling sonorously, in, but did not go entirely under the Markoe tragedy.

LANDLORDS' GREED STIRS WRATH OF JUSTICE MORRIS

Says He Won't Have Tenants Dragged Into Court and Blackjacked Out of More Rent While Losing Day's Pay.

BOUGHT DRINK, HE SAYS

The defence of tenants made by Justice William Morris in the Second District Municipal Court, The Bronx, on Monday, in which he threatened to "man-owner of the property. At the same time the Justice components on the property. damus an attorney on the nose," resulted yesterday in several landlords making application to transfer, their cases to other courts, with the declaration they feit they were being discriminated against.

Schiefer, through his counsel, asked for an order compelling Louis Miller, the nated against.

ated against.
"I'll say'right now I'm pro-tenant," as forthwith. On July 8 Miller was served forthwith. serted Justice Morris vigorously, "and I with a summons and complaint in the ion't care who knows it. I am not go- ejectment ing to have tenants brought here every Court. He had twenty days in which to paying more rent." Justice Morris continued to give pref- ment for rent from July 1 to August 4. ereice to cases in which women with In refusing to grant the order Justice habies in arms were the defendants, over Scudder directed that Miller be brought

he protests of attorneys in other cases, to court and fully informed of the who objected to upsets in the order of ing of the proceedings and of his rights, he calendar and that after this was done a hearing Justice Townsend Scudder in the Su- in the matter be held on August 19. reme Court, Brooklyn, made it clear "The tenant's story should be heard esterday that tenants who are sued in and his situation explained to him before ejectment proceedings before him will a decision is made," said Justice Scud-have their rights carefully protected der.

\$80,000 IN LOOT

Midtown Section.

Operations of thieves in the loft dis trict between Fourteenth and Twentybrother kept a saloon. The agent, he second streets, whose loot is said to exadded, had made an exceptionally good ceed \$50,000, have been reported to the police within the last few weeks, ac cording to admissions yesterday by de-Three dry agents trailed a man to cording to admissions yesterday by de-licksville, L. I., and there examined a leavy suit case in which they say they und a oulfa board, some toys and five Aaron Gosch, 24 years old, of 583 Union ound a only board, some toys and live along the callons of booze. The man gave the avenue, The Bronx, who posed as a silk dealer, the police said they recovered burchased the booze as "sweet oil" in a stolen silks, furs, gloves and other merchandise valued at \$35,000.

terday in \$1,000 bail.

William A Alien, Jr., officially reopened the Brooklyn office of the enforcement bureau yesterday, having a squad of forty men at his disposal to make Staten Island, Long Island and Brooklyn drier.

The Brooklyn office had been closed for a month owing to a disagreement as to its jurisdiction. Previously it had a staff of but fifteen agents, but its territory has been extended to include Staten. ry has been extended to include Staten street station. A theft from the Benjain Clothing Company, at 685 Broad-State police in White Plains arrested way, was reported after the goods were

WOODHOUSE FAILS TO STOP MERGER

Aero Club Case.

American Flying Club, failed yesterday when Justice Glennon of the Supreme Court refused to issue an injunction to prevent the Aero Club governors from going ahead with the plan.

The case was argued on July 30, when W. W. Miller, one of the governors of the club and acting as the club's attorney, submitted affidavits answering charges made by Mr. Woodouse against the club.

"As the matter now stands eighteen the governors out of the twenty-Nicky Arnstein must answer questions as to where he was and what he of the club, have approved the arrange-did during his absence from this city ment." Mr. Miller said. "The only two governors recording objections to the day in ruling on questions which Arn-stein had refused to answer in the bank-ruptcy proceedings against him.

Mr. Miller said he had received a numbering Mr. Hammond

Another hearing in the bankruptcy MOTOR MAIL MAKES RECORD FROM COAST Reaches City in 4 Days, 14

Hrs. 43 Min.

erday that a new unofficial record for a transcontinental automobile trip was established when a five passenger touring car, carrying United States mail from San Francisco to New York, ar-rived here Monday after a run of 4 days, 14 hours and 43 minutes. An official of the American Automobile

Association said this was at least one day faster than any previous unofficial Postal authorities declared that the machine's time compares well with that of all except the fastest through mall trains. The trip was the first eastward run of a scheduled series of five or more round trips. Three cars have made the

westward journey. The route trav-elled by the machine is 3,347 miles long. stops being made and drivers changed at Ely. Nev.; Cheyenne, Wyo.; Council Bluffs, Iowa; Davenport, Iowa; Valparaiso, Ind.; Lima, Ohio; Wheeling, W. Va.; Cumberland, Md., and Easton,

1,000,000 LBS. SUGAR RUINED IN EAST RIVER

Float Hits Rock and Cars Dive Into Water.

Nearly a million pounds of refined sugar destined to relieve a shortage in

she knew of no reason for his disap- if it all, and contemptuous of traffic reg- surface. Enough water was shipped to

PALESTINE MANDATE 'A TICKLISH JOB'

proceedings in the Supreme

Recent Operations All in U. S. Consul Tells of Task Confronting British.

> The British have a ticklish task o ceir hands in exercising their mandate over Palestine, according to Dr. Otis A. Giazebrook, United States consul in Jerusalem, who arrived yesterday on the Greek National liner Megali Hellas, with Mrs. Glazebrook, to spend a leave of absence here.

but just before he left the country Sir. Robert Samuels, British civil commissioner of Palestine, arrived to take charge of affairs. One reason why much diplomacy and tact is necessary is that the popluation of Palestine consists of 65,000 Jews, the same number of Christians, and three times that numbe

Mohammedans. Dr. Glazebrook expressed the opinion that the Jews would be able to make a success of settling Palestine. There is now a good railroad from Jerusalem to Alexandria, and Halfa will make a good port after some dredging. Evidence sands below Jerusalem has been discov-

Church, Amsterdam avenue and Ninety ninth street, returned from a trip through Egypt, India and Palestine. Others on board were Prof. Harold Nelson, Prof. J. Stewart Crawford, Dr. Harry D. Garmand and Dr. D. D. Luck

APOLOGY TO GAIN **NEGRO IMMUNITY**

Marcus Garvey to Escape Libel Prosecution.

Marcus Garvey, editor of the Negro World, through his attorney, Louis Vor-haus, made yesterday a public apology before Judge Crain in General Sessions The fight of Henry Woodhouse, sus-pended governor of the Aero Club of had published early in 1919 concerning America to prevent the amaignmation | Edwin P. Kilroe, Assistant District At-

riminal libel. Following the reading f the apology, James M. Donohue, Assistant District Attorney, who is hand-ling the case, said that if the Negro World published a retraction next Saturday he would ask on the following Monday that the indictment be dismissed. Mr. Kilroe was in court and informed Judge Crain that the apology

was satisfactory to him. More than a year ago the activities of larvey as a promoter of the Black Star Line attracted the attention of the Dis-trict Attorney's office, and Mr. Kilroe was directed to conduct an investigation While the investigation was under way articles appeared in the Negro World claiming that the Assistant District At erney, working with two business rivals of the Black Star Line, had arranged to frame" Garvey and was persecuting im. Mr. Kilroe then had Garvey ar-

WAITS FOR FRIENDS UNDER A LANDSLIDE

rested on a libel charge.

t Was Getting a Bit Close When They Dug Tony Out.

at the bottom of a three ton pile of dirt which had fallen in on him yesterday in an excavation at 169th street, near College avenue, The Bronx, and 150 pound rock which had cracked his right leg below the knee adding to his redicament, Tony Nicoll, 60 years old. was dug out and put in an ambulance. The surgeon looked him over and found nothing beyond the broken leg and some scratches made by smaller rocks as they tore down on top of him. The pit was about seven feet deep

when the rain came, loosened the dirt and started it down in an avalanche. After working desperately a few min-utes with shovels, Teny's fellow workers called the police and Hook and Ladder No. 44 from Morris avenue. All hands pitched in and the shovels worked down to the place Tony was last seen. He had not lost consciousness, although he admitted it was getting a bit close, and he didn't know how much longer he could have held out. The foreman said Tony was the huskiest youngster on his He lives at 55 Centre street. Brooklyn. He will be detained temporarily at Lincoln Hospital for the broken leg to knit.

ASK GIRL'S RELEASE AFTER INSANITY CURE

Lawyer for Assailant of Detective Burns Begins Action.

Miss Gertrude Wormworth of 784 Prospect place, Brooklyn, who fired several shots at William J. Burns, the detective, in Grand Central Station in March, 1919, began an action yesterday before Justice Squires in the Supreme Court, Brooklyn, to obtain her release from the State Hospital for the Insana at Central Islip, L. I., where she has been a patient since the shooting.
Abraham Levy, her lawyer, told Jus-Abraham Levy, her lawyer, ton the street squires that the young woman had entirely recovered. A. J. Pierson, representing Col. Edward H. Green, son

Justice Squires adjourned the case until Monday.

SEE HOUSING CRISIS

New York Now Shy 100,000 Apartments, Senate Committee Is Told.

NO MONEY FOR BUILDING

Investors Use Funds in Enterprises Guaranteeing More Certain Profits.

The growing menace of inadequate housing accommodations in New York and Stanton had obtained work as a month and made to less a day's pay answer. When he did not file an answer city was emphasized by high authoriwhile they are being blackjacked into Schaefer sought the order compelling ties vesterday in the hearing by the ties yesterday in the hearing by the United States Senate Committee on Reconstruction and Production. Senator William M. Calder presided over the session, which was held in the Engineering Societies Building in West Thirty ninth street. Witnesses examined included Walter

> Life Insurance Company, which has nore than \$268,000,000 invested in mortgages upon city property and \$45,-900,000 on farms; Rudolph E. Miller building superintendent for the Borough of Manhattan and president of the Association of Building Commissioners of the United States, who estimated that the construction of dwellings and hous ng apartments in the whole city a present is only about one-quarter of normal volume; Edward P. Doyle, secre tary of the Mayor's Housing Conference Committee, who testified there is now practically no mortgage money available except at usurious rates, and Frank Mann, commissioner of tenement houses The British military government of for the city; who predicted that by next The defenders are the corporation. Pat-Palestine is unpopular the consul said, year the shortage of housing facilities rick A. Powers and Emanuel H. Goldwill amount to a lack of 120,000 apart-

Sees Crisis in Fall.

Mr. Stabler urged the committee work for the exemption of mortgages rom liability under the income tax, at east up to \$40,000. That, he thought. yould go far toward relieving the situa on, because it would remove in grea part the reluctance of capital to embark in building enterprises. "We are facing a most serious situation, which is steadily growing worse," he said. "The Government is here, gentlemen, to work for the welfare of its people. If you deny them a place for themselves and John P. Peters, rector emeritus their families you might just as well Michael's Protestant Episcopal deny them food. The responsibility is squarely up to Congress." In the thirty years he had been in ousiness, Mr. Stabler said, he never had

een so serious an outlook. Next October, he predicted, would mark a grave Private capital is withdrawing rom building mortgages as investments, e said, because they pay only 5 or per cent, and is turning to the more rofitable industrials at 7 and 8 per ent. Mortgages are being dumped upor the savings banks and institutions which ne may hold them exempt from excess profits tax levies. Within the last six onths, the witness asserted, more than \$29,000,000 worth of mortgages in Manhattan and The Bronx had been so un-loaded by individuals and trustees to escape paying the tax and for the pur pose of more profitable investment. Superintendent Miller said in normal times about 35 or 40 per cent. of contemplated building operations are for housing purposes, but now the propor-An indictment against Garvey charges tion in Manhattan is only about 6 per In this borough the average number of housing buildings erected in nor-

mal times is about 170 yearly, which supply about 6,000 apartments. During the three years of 1917, 1918 and 1919 combined, however, only 76 such buildngs were constructed, with accommo Estimating from reports from build-ing superintendents of the other boroughs, Mr. Miller thought the volume of dwelling construction now under way in the whole city was less than one-quarter of normal. He promised the ommittee to obtain the actual figures.

Assails New Rent Law. Mr. Doyle contended that the passage

of the rent profiteering act in 1919 had stopped tenement building, as no man of ommon sense would embark in the ullding of homes for rent if he knew that after having built them he would have no control over them because some Judge might at will extend the tenurtenant's lease by giving a stay of ejectment upon ex parte evidence. The witness had intended to build exten-sively and had looked for a building boom after the war, he said, but this legislation had killed it. He thought the removal of the income tax on mort-gage holdings would be of great benefit and would encourage new building.

Commissioner Mann said the city's present shortage of housing facilities now amounted to 100,000 apartments.

By 1921 it probably would be increased to 120,000 apartments. In normal years the Tenement House Commission thorizes the construction of about 28,000 apartments yearly. But during the last four years the average construction, so far as concerns tenement houses, has dwindled to about 4,000 a year.

He assigned as primary causes for this situation timidity of capital, shortage and high cost of building material and shortage and high cost of labor. The Mayor's Committee, he said, had suggested as an incentive for mortgage money to come back into the field the exemption of new housing construction from local taxation for a period of years. "The city could not lose any-thing by that concession," said he, "because if you don't offer some inducement there will be no new construction. Mayor Hylan has asked John P. O'Brien, Corporation Counsel, to give nim an opinion upon the legality of the city's lending sinking fund moneys on bonds and mortgages for the purpose of financing construction of dwellings. The suggestion for that use of the moneys was made recently by Allison T. Briggs, formerly secretary of the Court House

"If it can be done legally." the Mayor ald, "I see on reason why the sinking and moneys should not be so used." James F. Gannon, Jr., Finance Com-missioner of Jersey City, said vesterday the housing situation in New Jersey is as bad as in New York city. When the New Jersey Legislature meets on September 8 petitions signed by 40,000 persons will be presented to Senator William N. Runyon of Union, chairman of the legislative Housing Committee, which will ask the Legislature to do scmething to remedy the situation.

To Pick Aircraft Delegates.

A conference to determine the repre entirely recovered. A. J. Pierson, representing Col. Edward H. Green, son of the late Hetty Green, to whom Miss Wormworth had written letters, declared his client was satisfied to have the young woman released provided it were safe to do so, but that he did not wish to see a repetition of the Markoe tragedy.

Markoe tragedy.

Justica Squires adjourned the case specific and Motor and Accessories Association of Motor and Moto the International Aircraft Standards meers and Motor and Accessories Asso-ciation will meet to discuss the matter.

2 AGED SHOPLIFTERS ARE SENT TO PRISON IN CITY IN AUTUMN Just a Test to See if Skill Had Left, They Insist.

Patrick O'Brien, 60 years old, and Samuel Stanton, 78 years old, admitted yesterday in the Court of Special Sessions that they had taken twenty waists from the counters of a department store but the motive, they said, was no mean one, as they merely wanted to settle a CLAIMED TO BE FARMER little argument and find out in the i terests of science whether old age had made their fingers too clumsy for shop-

"We just wanted to learn if advancing years had robbed us of any of our old time cunning," said O'Brien, and the other venerable shoplifter nodded his emphatic agreement. They said that after giving up stealing several years ago O'Brien had become a watchman August 5, when detectives of the Stores Mutual Protective Association found concealing merchandise their clothing

old offenders and were sentenced to from six months to three years each in e penitentiary by Justices Freschi, McInerney and Edwards. The sen- he have to shoot up some of his rela tences are the heaviest imposed for tives in the German army, shoplifting in some time, but O'Brien This first evidence of the control of the Stabler, comptroller of the Metropolitan and Stanton are anything but down-hearted. As they were being taken to

pals and have done time together before. But we have aged terribly since the old

FILM COMPANY SUED FOR AN ACCOUNTING Would Break Clara Kimball

Young Contract, Is Reply. Harry I. Garson and Herbert K. Santwo stockholders of the Equity Pictures Corporation of 33 West Fortyecond street, brought suit yesterday in

The complaint states that the corporation was organized to distribute moving picture films featuring Clara Kimball Young and has films on hand of the market value of \$1,000,000. It is charged by the plaintiffs that Powers has been receiving \$300 a week as treasurer of the corporation, whereas the plaintiffs question the legality of his election to that office.

Since the last meeting of the directors, he plaintiffs, who are directors, say they have been excluded from participation in sectings of the board. They also charge that a subsidiary corporation has been organized with the consent of the deendants to compete with the Equity Pictures Corporation.

Joseph I. Schnitz, president of the corporation, filed an affidavit in which ne said that Garson is associated in ousiness with Clara Kimbali Young and s seeking to embarrass the corporation that he can secure Miss Young's release from contracts. Schnitz says that ne is receiving \$15,000 a year as president, which is the sum Sanborn received as former president, and that Powers is drawing the same salary that the former treasurer received at the time he was elected to that office.

HER BLACK FACE NO JOKE.

Off Stage Use of Cork Lands Girl in Police Court.

An off stage cork blackened face, in joke, is a serious matter when it gets Ji., and Lieut Thomas L. Heffernan, Col. into court. Miss Madeline Bonnair, 23 William H. Allairs is presiding over the years old, of the Rutledge Hotel, 162 court martial, which is composed of the Lexington avenue, went out on parade same officers, mostly with overseas ser-Monday night with her face an ebony vice, who sat on Grover Bergdoll's case shade, thinking to amuse her sister, Mrs.

BERGDOLL LOATH TO SLAY GERMAN KIN

Hence Erwin Shunned Draft. According to Court Martial Witness.

But Draft Board Official Says Fugitive Misstated Property Facts.

New light upon the reluctance of the Bergdoll brothers, Grover Cleveland and the dangers of "corned willy" and "whizzbangs" was shed yesterday at Governors Island when Irwin Bergdoll was arraigned before a court martial The men were recognized in court as charged with desertion in wartime, the penalty wherefor may be death. Erwin Bergdoll didn't want to go to war lest

This first evidence of the Bergdoll family's connection with the Boche octheir cells one of them said:

"We have no regrets. We are old Ellis, chairman of Erwin Bergdoll's local draft board in Ridley Park, Pa. It came after the brother of the fugitive slacker had pleaded not guilty and the resecution had opened.

Although it was Indicated that Bergdoil's defence before the court martial would be that he was a farmer and married when drafted, Mr. Ellis, who s described as a "millionaire lawyer." testified that Bergdoll appeared at his house on the night of April 17, 1818, and pleaded to be excused from physical examination the next day. He was accompanied by two men, George Deades and Al Hall, the latter a brother-in-law.

One of these two said, according to Mr. Eilis, that "Bergdoll wouldn't want to shoot any relations he had on the other side if obliged to enter the army." Mr. Ellis said he told Bergdoll he was an American citizen, obliged to do his duty, and should report for physical ex-amination. Bergdoll did not report, and Mr. Ellis said he had not seen him since, until yesterday. Berg voluntarily on July 21. Bergdoll surrendered

A possible defence for Bergdoll on a technicality was developed by yesterday's teatmony, which showed that he had received only three days' notice from his board instead of the five specified in the universal service law, but the main contention as to his eligibility for service works. the main contention as to his eligibility for service under the law is covered by a letter from Mr. Ellis to the chairman of the district board saying that Bergdoll had ample means, little knowledge of farming and had made misstatements concerning the financial status of his farm

far known will be Al Hall, the brother-in-law who is said to have told Mr. Ellis of Erwin Bergdoll's compunctions about shooting his German relatives; Charles Braun, a brother of Erwin and Grover Bergdoll, who changed his name when they disappeared, Emma Bergdoll. and Mrs. Emma Bergdoll, their mother. The Government has a score of witnesses. Bergdoll Ambrose Clover and Lieut. Samuel Cone as military counsel, and the prose-cution is being conducted by Lieut.-Col. Charles C. Cresson, Capt. Robert Hannay, Great care was taken of Erwin Berg the Claridge Hotel.

The joke went so far Miss Bonnair was arrested, and in West Side court yesterday Magistrate Harris treated the defendant to a severe lecture on the proprieties. He suspended sentence.

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